

Message

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Sent: 12/14/2018 3:15:21 PM
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Subject: News Articles (For EPA Distribution Only)

BNA DAILY ENVIRONMENT REPORT ARTICLES

TOYS, TIRES, AND EPA

LEGO and Goodyear are among the companies asking EPA to let them know which chemicals it will scrutinize next year.

Toy and tire manufacturers—which also include Mattel and Michelin—are pressing the agency for information so they can devote resources toward gathering data the EPA may need for its analysis under a federal chemicals law that could lead to additional regulation.

The agency hasn't released the names of the 40 chemicals it will start screening to decide if they are high or low priorities for risk evaluation. But it put out plans in October that described a pool of 73 chemicals under consideration.

Pat Rizzuto explores further in a [story](#) now out. [Follow Pat](#) on Twitter.

Toy, Tire Makers Want Heads-Up on Chemicals EPA Will Screen

By Pat Rizzuto

Posted Dec. 14, 2018, 7:21 AM

LEGO, Mattel, Goodyear, Michelin, and other companies that use chemicals to make consumer products want the EPA to let them know which chemicals it will sort through in 2019 and beyond.

New York Sues Walmart, Target Over Lead in Toys (2)

By Martina Barash

Posted Dec. 13, 2018, 2:53 PM Updated Dec. 13, 2018, 5:02 PM

Target Corp. , Walmart Inc. , and importer LaRose Industries LLC sold children's jewelry kits with 10 times the allowable level of lead, New York Attorney General Barbara Underwood says in a new suit.

INSIDEEPA.COM ARTICLES

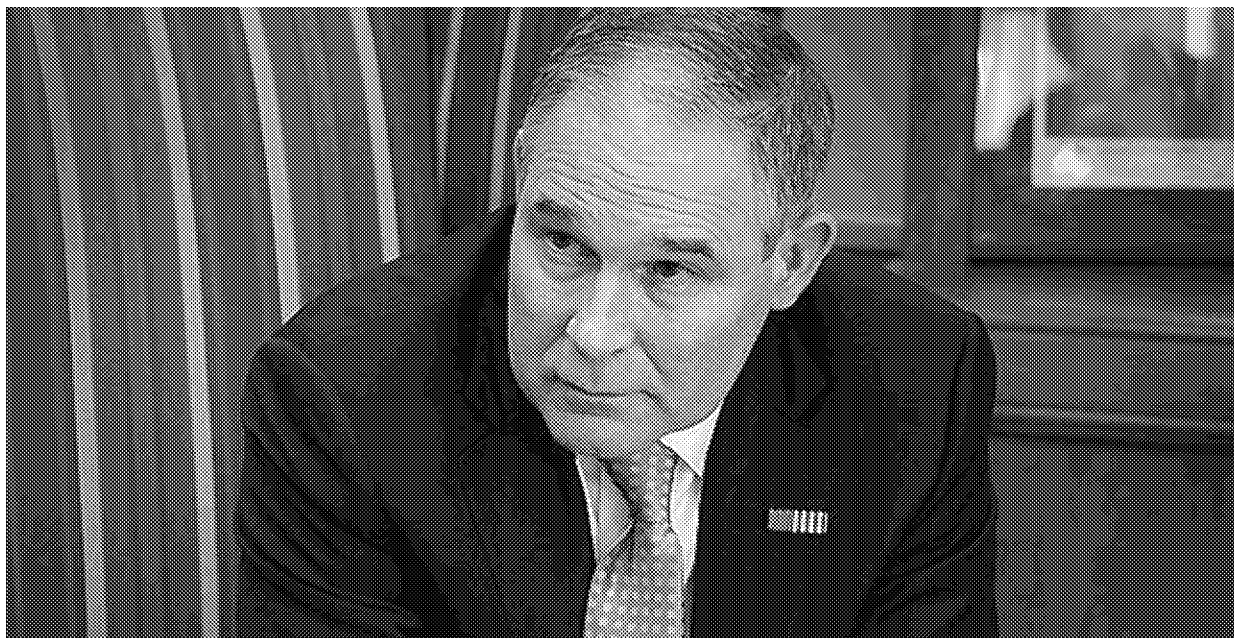
Environmentalists File FOIA Action To Force Release Of TSCA CBI Studies

Highlighting their concerns with the data EPA uses under the revised toxics law, environmentalists are filing a Freedom Of Information Act (FOIA) request to force the agency to release two dozen studies that it relies on in its landmark draft assessment of pigment violet 29 (PV29) but which the agency has deemed as confidential business information (CBI) and withheld.

GREENWIRE ARTICLES

Audit of Pruitt's travel coming next year

Kevin Bogardus, E&E News reporter



Former EPA Administrator Scott Pruitt. EPA

The review from EPA's internal watchdog of former Administrator Scott Pruitt's tenure will continue into the next year.

The agency's inspector general released its [annual plan](#) for fiscal 2019 yesterday. Included in the report were plans to keep digging into concerns over Pruitt's trips, "primarily his frequent travel to and from his home state of Oklahoma at the taxpayers' expense."

IG spokesman Jeff Lagda told E&E News that the watchdog office estimates it will release its audit on Pruitt's travel in early winter 2019.

<https://www.eenews.net/greenwire/2018/12/13/stories/1060109573>

PFAS detected in carpets from several U.S. manufacturers

[Courtney Columbus](#), E&E News reporter

Published: Thursday, December 13, 2018



A new report based on research from the Michigan-based Ecology Center, the University of Notre Dame and the Vrije Universiteit Amsterdam found PFAS in several carpet products. Less Stone/ Changing Markets Foundation/Ecology Center

Chemicals known as PFAS are present in several major carpet products sold in the United States, according to a new report by the Changing Markets Foundation in collaboration with other organizations and researchers.

PFAS, or per- and polyfluoroalkyl substances, have gained attention as they have been detected in drinking water in several states. PFAS have been widely used for decades in a variety of other commercial and industrial products, including firefighting foam and nonstick cookware.

<https://www.eenews.net/greenwire/2018/12/13/stories/1060109571>

Legislature to weigh statewide plastic bag tax, straw ban

Published: Thursday, December 13, 2018

The Oregon Legislature will consider a statewide tax on plastic bags and a ban on plastic straws.

The *Statesman Journal* [reports](#) a state Senate committee voted to introduce both legislative concepts, or preliminary bills, during an informational hearing yesterday.

Both bills would help reduce plastic waste that ends up in landfills and the environment.

"From our perspective, nothing we use for 10 minutes should pollute the environment for hundreds of years," said Celeste Meiffren-Swango, state director of Environment Oregon.

One would impose a 5-cent-per-bag tax on single-use plastic bags used by retail stores selling food or alcohol, and require the establishments to provide paper checkout bags.

The tax wouldn't apply to meat and vegetable bags, or other non-checkout bags. And customers who use vouchers and state benefit cards would be exempt.

<https://www.eenews.net/greenwire/2018/12/13/stories/1060109549>

CHEMICAL WATCH ARTICLES

Two US grocery chains pledge action on PFAS takeout packaging

Commitments from Whole Foods, Trader Joe's follow NGO report

13 December 2018 / Food contact, PFCs, Retail, United States, Voluntary action



Major American grocery retailers Whole Foods Market and Trader Joe's have committed to taking steps to remove takeout packaging containing per- and polyfluoroalkyl substances (PFASs).

The pledges have come in response to a report issued by the Mind the Store campaign of US NGO Safer Chemicals Healthy Families, in conjunction with Toxic-Free Future. This highlighted the use of PFASs in certain grocers' food contact materials (FCMs), like single-use plates and bakery papers.

In response, Whole Foods Market – a grocery chain owned by Amazon with roughly 500 stores in the US and the UK – made a written commitment to the NGOs to pull the products called out in the report.

The company said: "Whole Foods Market introduced compostable containers to reduce our environmental footprint, but given new concerns about the possible presence of PFAS, we have removed all prepared foods and bakery packaging highlighted in the report."

"We're actively working with our suppliers to find and scale new compostable packaging options," it added.

Trader Joe's, meanwhile, said it is "asking its vendors to avoid the use of per- and polyfluoroalkyl substances (PFAS) in packaging for our products." The retailer, which has about 500 locations across the US, did not have any materials identified as likely to contain PFASs in the report.

NGO report

The NGO report, *Take Out Toxics: PFAS Chemicals in Food Packaging*, tested food contact paper samples from 20 stores across 12 US states for the presence of fluorine, to determine if they were likely treated with PFASs.

The majority of tested products – 68 out of 78 – were found to be PFAS-free. But five of eight of tested paper takeout containers, like those used at self-serve salad bars and buffets, contained elevated levels of fluorine. And 11% (four of 38) of tested bakery and deli papers were also flagged up.

The authors cite concern with the potential for the persistent substances to leach out of packaging and to get into the food, people, compost and the environment.

And they say the findings indicate that retailers could reduce such exposures by replacing treated items with PFAS-free items.

The NGOs have called for grocery chains and other retailers to:

- adopt a public policy with quantifiable goals and timelines for reducing and eliminating PFASs in private label and brand name FCMs;
- agree to "meet the new Washington State ban on PFAS use in food packaging", not just in Washington, but across the US;
- develop a comprehensive safer chemicals policy to reduce and eliminate other chemicals of concern, such as ortho-phthalates, in FCMs.

Reactions

The NGOs behind the report applauded the grocery stores' actions as an "important step in the right direction."

But it pressed for action on PFASs in all food contact materials, and also called on other major retail chains named in the report – Kroger, Albertsons, and Ahold Delhaize (owner of Food Lion, Stop & Shop and others) – to act.

The American Chemistry Council's FluoroCouncil, meanwhile, criticised the report as "misleading in its unfounded health and safety claims".

"The use of PFAS in food packaging is strictly regulated by the FDA [US Food and Drug Administration], which has determined the specific PFAS currently used are safe for their intended use," said the group in a statement. "A robust body of scientific data demonstrates these FDA-reviewed PFAS substances do not pose a significant risk to human health or the environment."

The FluoroCouncil also took issue with how the groups portrayed "the possibility of a ban in the state of Washington as a benchmark for others to follow."

Earlier this year, Washington passed into law a requirement for the state to ban PFASs in FCMs by 2022, provided the state's Department of Ecology can identify a safer substitute through an alternatives assessment process.

The city of San Francisco, California and New York have also posed restrictions on the substances' use.

The campaigners are urging other states to follow suit.



Related Articles

- [Washington takes aim at PFASs in food packaging, firefighting foams](#)
- [San Francisco bans single-use food service ware containing PFASs](#)
- [New York sets procurement rule on PFASs in food containers](#)

Further Information:

- [Report](#)
- [Retailers' commitments](#)

Canada makes provisional conclusion of harm for four dyes

13 December 2018 / Canada, Environmental Protection Act, Risk assessment



The Canadian government has provisionally concluded that four triarylmethane dyes used in consumer products, including art supplies for children, are harmful to human health or the environment.

If confirmed, the conclusion would trigger regulatory risk management measures against the substances, under the Canadian Environmental Protection Act (Cepa).

The four dyes are:

- basic violet 3;
- malachite green;
- basic violet 4; and
- basic blue 7.

The draft screening assessment for the triarylmethane group of dyes, published on 8 December, concluded that the substances are harmful to the environment, according to the criteria in section 64 of Cepa.

Malachite green is also harmful to human health, according to the same criteria.

Two other substances, pigment blue 61 and brilliant blue FC, were included in the same assessment, but did not meet any of the criteria.

The assessment says that triarylmethanes are primarily used as colouring agents, such as dyes and pigments, in:

- inks, toners and colourants;
- paper products, mixtures or manufactured items; and
- possibly, food packaging.

Human exposure to malachite green was assessed based on use of relevant products, as well as consumption of – and skin contact with – contaminated water. The human health hazard considered was for developmental effects, which were predicted via read-across from similar substances.

The environmental risk assessment of the triarylmethane dyes focused on exposure via 'down-the-drain' releases from use of products and releases from industrial sites. It found that releases were possible to both water and land and that the substances tend to persist in water, sediment and soil.

The government also published a risk management scope for the four harmful dyes, indicating what measures it would take if the conclusion of harm were confirmed.

For malachite green, these include addition to Health Canada's Cosmetic Ingredient Hotlist and application of Cepa significant new activity (Snac) provisions.

The government has launched a 60-day public consultation on the two documents until 6 February 2019.



Andrew Turley

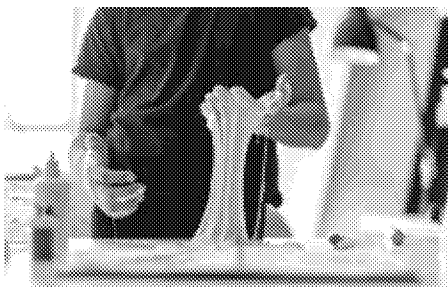
Science editor, Chemical Watch

Further Information:

- [Draft screening assessment](#)
- [Canada Gazette notice](#)

UK study finds high levels of boron in toy 'slime' products

13 December 2018 / Children's products, Product testing, Retail, SVHCs, UK



UK consumer group Which? has found that some children's slime products it tested exceed EU safety standards for boron, an SVHC.

Which? claims that six out of 13 tested products failed the EU safety standard for toys (EN 71-3). The standard stipulates that boron levels in slime products for children must fall below 300mg/kg and toy putties must have boron levels that fall below 1,200mg/kg.

The toy slimes and putties tested came from a range of high-street and online retailers including Hamleys, Amazon, eBay, Etsy and Argos.

Levels found ranged from 290mg/kg to 1700mg/kg.

In response to the findings, UK toy store Hamleys said it was pulling the product tested from its store. It told Which?: "As a precautionary measure we have made the decision to remove all Goobands Frootiputti from our stores while we investigate this matter further."

Others said they would investigate the findings, and some defended the products they sold saying that they had carried out independent tests and found them to be within EU concentration limits.

Boron compounds, such as borax, are added to toy slime to give it its gelatinous texture. They are classified as reprotoxic.

Further Information:

- [Which? study](#)

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OTHER ARTICLES

[Whole Foods, Trader Joe's pledge initial action on toxic PFAS](#)

[Safer Chemicals, Healthy Families \(press release\) \(blog\)](#)

Yesterday, our new report revealed that **toxic PFAS chemicals** are hiding in common takeout packaging **and** other food contact **materials** at some of ...

[Whole Foods' Packaging Contains Harmful Chemicals—But They're Removing It - Cooking Light](#)

Whole Foods stops using takeout containers with problematic chemical - Grocery Dive

Study Finds Nonstick PFAS Chemicals in Grocery Takeout Packaging - Packaging Strategies (press release)